IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 22668 of 2005

For Approval and Signature:

HONOURABLE MR. JUSTICE B.J.SHETHNA
HONOURABLE MR.JUSTICE MD SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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IMRAN MOHD. YASIN MANDSAURWALA - Petitioner(s)
Versus
STATE OF GUJARAT & 2 - Respondent(s)

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Appearance :
MR G RAMAKRISHNAN for Petitioner(s) : 1,
MR AJ DESAI AGP for Respondent(s) : 1 - 3.

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CORAM : HONOURABLE MR. JUSTICE B.J.SHETHNA

and

HONOURABLE MR.JUSTICE MD SHAH

Date : 21/07/2006

ORAL JUDGMENT

(Per : HONOURABLE MR. JUSTICE B.J.SHETHNA)

The petitioner has challenged in this petition the tender notice dated 18.10.2005 (Annexure-A), which was filed on 23.11.2005. In response to the notice issued on this petition by this court, reply affidavit is filed on behalf of respondent No.2 wherein it is stated that the work order was already given to one Tirth Graphics by letter dated 8.11.2005. Thus, it is clear that prior to filing of the petition, the work order was already given to third party, which is not joined as party respondent. Averments made on oath in the reply affidavit remained uncontroverted. Though sufficient opportunity was granted to the learned counsel for the petitioner for filing rejoinder, no rejoinder is filed.

In view of what has been stated above and in view of the averments made in reply affidavit, this petition is dismissed. Rule discharged. No order as to costs.

(B.J.SHETHNA, J.)

(M.D.SHAH, J.)

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